

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
DIANE COLUZZI, et al., :
Plaintiffs, :
: 23 Civ. 6885 (LGS)
-against- :
: ORDER
BANK OF AMERICA, N.A., :
Defendant. :
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on November 6, 2023, Plaintiffs filed an amended complaint alleging wage-and-hour violations under the Fair Labor Standards Act and state law;

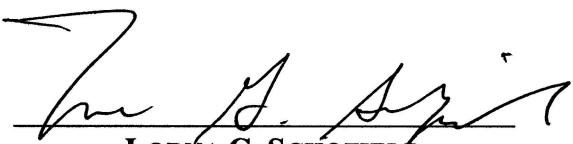
WHEREAS, on January 19, 2024, the parties filed a stipulation of voluntary dismissal without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

WHEREAS, an Order dated January 24, 2024, directed Plaintiffs' counsel to submit a declaration or affidavit (1) stating that Plaintiffs have been clearly advised that the settlement of this case does not preclude them from filing another lawsuit against the same Defendant(s) and (2) affirming that the settlement agreement does not contain a release of Defendant(s).

WHEREAS, on February 23, 2024, Plaintiffs' counsel filed a declaration stating that Plaintiffs' claims have not been settled, released or compromised in any manner; that Plaintiffs have been advised that they are not precluded from filing another lawsuit against Defendant; and that no Plaintiff has released any claim against Defendant. It is hereby

ORDERED that Plaintiffs' claims are dismissed without prejudice. The Clerk of Court is respectfully directed to close the motion at Dkt. No. 30 and to close this case.

Dated: March 12, 2024
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE